

MINUTES OF A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF MADISON

February 12, 2018 - 7 p.m.

CALL TO ORDER

The Regular Meeting of the Mayor and Council of the Borough of Madison was held on the 12th day of February, 2018. Mayor Conley called the meeting to order at 7:00 p.m. in the Committee Room of the Hartley Dodge Memorial, Kings Road, in the Borough of Madison.

STATEMENT IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT

The Borough Clerk read the statement pursuant to the Open Public Meetings Act:

“In compliance with the Open Public Meetings Act, adequate notice of this meeting of the Council was provided by transmitting a copy of the meeting notice to the Madison Eagle and Morris County Daily Record, posting a copy on the bulletin board at the main entrance of the Hartley Dodge Memorial, and filing a copy in the office of the Clerk, all on January 11, 2018. This Notice was made available to members of the general public.”

ROLL CALL

The Borough Clerk called the roll and the following acknowledged their presence:

Mayor Robert H. Conley

Council Members:

Astri J. Baillie

Patrick W. Rowe

Maureen Byrne

John F. Hoover

Absent: Mrs. Vitale, excused

Mr. Wolkowitz, excused

Also Present:

Raymond M. Codey, Borough Administrator

James E. Burnet, Assistant Borough Administrator

Elizabeth Osborne, Borough Clerk

John Napolitano, Esq., for Matthew J. Giacobbe, Esq. Borough Attorney

AGENDA REVIEW

There was approval of the Regular and Executive Agenda.

READING OF CLOSED SESSION RESOLUTION

Mr. Rowe moved:

RESOLVED, that the meeting be adjourned to an Executive Session to consider the following matters:

MINUTES FOR APPROVAL (1)

January 22, 2018

Date of public disclosure 60 days after conclusion, if disclosure required.

CONTRACT MATTERS (8)

LIBRARY ARCHITECTURAL SERVICES

GIRALDA FARMS

34 WALNUT STREET - DEVELOPER AGREEMENT

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ENGINEERING CONTRACTS
DPW CONTRACTS
ELMER STREET SEWER IMPROVEMENTS
MADISON HOUSING AUTHORITY/MAHC – UPDATE
JOINT MEETING - UPDATE

Date of public disclosure 60 days after conclusion, if disclosure required.

PERSONNEL MATTERS (1)
PART-TIME EXECUTIVE ASSISTANT – DPW

Date of public disclosure 90 days after conclusion, if disclosure required.

Seconded: Ms. Baillie
Vote: Approved by voice vote

RECONVENE IN COUNCIL CHAMBER

Mayor Conley reconvened the Regular Meeting at 8 p.m. in the Council Chamber with all members present. The Pledge of Allegiance was recited by all.

Mayor Conley asked for a moment of silence to honor longtime residents Shirley Clement and Louise Paterson. Mrs. Clement was Chair of the Downtown Development Commission in 1995, a member on the Madison Shade Tree Management Board and a business administrator for the Madison Board of Education. Mrs. Paterson, an active member of the Madison Republican Committee, sat at nearly every Council Meeting in the second row on the aisle. The Mayor offered condolences to both their families.

APPROVAL OF MINUTES

Ms. Baillie moved approval of the **Executive Minutes of January 22, 2018**. Mr. Rowe seconded the motion, which passed by unanimous voice vote.

Ms. Baillie moved approval of the **Regular Meeting Minutes of January 22, 2018**. Mr. Rowe seconded the motion, which passed by unanimous voice vote.

GREETINGS TO PUBLIC

Mayor Conley made the following comments:
Mayor Conley thanked members of municipal Boards and Committees that attended last Monday evening's Committee Leadership Meeting, noting twenty five participants from both the Borough of Chatham and Borough of Madison.

EMPLOYEES OF THE MONTH FOR FEBRUARY:

The Employees of the Month for February are Chrissy Mahler and Hattie Evans of the Tax Collector's Office for their commitment and hard work processing the 2018 prepaid taxes.

REPORTS OF COMMITTEES

Health

Mr. Rowe, Chair of the Committee, made the following comments:
The Health Department recommends that residents get flu vaccines through the end of the flu season. Initial Retail Food Establishment inspections for 2018 are underway. In addition, plans for new establishments have been submitted and are being reviewed. A free rabies clinic will be held on February 24th in Springfield at the Chisolm Center, located at 100 S. Springfield Avenue. The clinic is open to all NJ residents. There will be a Health Department "Lunch & Learn" at Whole Foods

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on Thursday, February 15th from 11:30 to 12:30. The topic will be “health department services.” MAASA is sponsoring a ‘Sticker Shock’ campaign run by the Madison Pharmacy. Stickers and hangers will be placed on products throughout the store to act as “warning” labels, informing the public of the consequences of providing or purchasing alcohol for minors. Tobacco retailers will be receiving educational packets prepared by the Health Department in March containing information about a new state law that restricts the sale of cigarettes and other tobacco and nicotine related products to individuals 21 years of age or older. The Health Department is working on a trap, neuter, release (TNR) program for cats. For the Public Works Department and Engineering, Mr. Rowe reported that the Public Works staff worked with PSE&G on a major issue affecting the Civic Center. The natural gas line under Walnut Street has been filling with water, cutting off the heat source. There was a major water main collapse last evening on Rosedale Avenue. The Public Works crew worked into the night repairing the broken water main and restoring service to the area.

Public Works and Engineering

Mrs. Vitale, Chair of the Committee, absent.

Finance and Borough Clerk

Ms. Baillie, Chair of the Committee, made the following comments:

Ms. Baillie noted that property owners should have received a card from the Tax Assessor detailing the appeal process. Property owners that disagree with assessments have the right to appeal. Appeals must be filed on or before April 1st. The card includes helpful information including a link to a State Guide to Tax Appeal hearings. Please contact the Tax Assessor if you have any questions. On February 1st the Finance Department made a semi-annual interest payment to the Environmental Infrastructure Trust for the Borough’s portion of debt associated with the Madison Chatham Joint Meeting sewage treatment plant. Later this week the finance department will make the semi-annual interest payment for the MRC Debt. Senior citizens and disabled persons who qualify can receive a \$250 a year deduction on their property taxes. Applications must include proof of income eligibility. Residents interested in learning more are encouraged to visit the “Tax Relief Program” page on the Borough website.

Public Safety

Mr. Wolkowitz, Chair of the Committee, absent.

Community Affairs

Ms. Byrne, Chair of the Committee, made the following comments:

Ms. Byrne announced that tickets are available for the annual “Taste of Madison” to be held Monday, March 20th, at Gary’s Wine & Marketplace. Tickets must be purchased in advance. The Madison Senior Center has been undergoing improvements including new windows, new flooring and paint.

Utilities

Mr. Hoover, Chair of the Committee, made the following comments:

On January 26th the Madison Police Department, along with Mayor Conley, and Council members Carmela Vitale and John Hoover, hosted an annual appreciation breakfast for school crossing guards. At the breakfast, Crossing Guard Andrew Cobb was honored with a plaque for not missing one day of work in the past six years. Mr. Hoover thank Mr. Cobb for his dedication and service to our community. The Fire Department reports 137 calls for assistance in the month of January, including 22 general alarms, 18 still alarms, 42 investigations and 55 medicals calls.

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The Electric Department reports that installation of street post lights at the KRE site is ongoing, as well as, mark outs, new service installation and street light repairs. The Water Department continues curb box installations.

COMMUNICATIONS AND PETITIONS – None

INVITATION FOR DISCUSSION (1 of 2)

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on those items listed on the Agenda only. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record. **He/she shall limit his/her statement to three (3) minutes or less.**

Since no member of the public wished to be heard, the invitation for discussion was closed.

AGENDA DISCUSSIONS

02/12/2018-1 AMEND BOROUGH CODE CHAPTER 195-28, LAND USE IMPROVEMENTS

Mr. Codey noted a proposal to amend the Borough code preserving the Borough's ability to collect restoration bonding fees associated with land development applications. An ordinance will be introduced at a future Council meeting.

02/12/2018-2 2018 DRAFT MUNICIPAL BUDGET DISCUSSION

Mr. Burnet provide a proposed municipal budget for 2018 including appropriations, revenue, and surplus explaining the process and steps involved including appropriations by department, review of surplus and review of the Electric and Water utilities performance in 2017. Mr. Burnet asked that Council make a motion to set aside surplus. Mr. Hoover moved that surplus be set aside. Ms. Baillie seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Ms. Byrne, Mr. Hoover
Nays: None
Absent: Mrs. Vitale, Mr. Wolkowitz
Abstain: Mr. Rowe

Mayor Conley opened the meeting to the public for their opportunity to ask questions and make comments on the proposed draft budget.

Missy Elias, Green Village Road, thought the budget presentation was excellent and asked about capital projects scheduled for 2018.

Since no other member of the public that wished to be heard, the invitation for discussion was closed.

02/12/2018-3 TOWN SWAP EVENT – APRIL 28, 2018

Madison Environmental Commission Chairperson Claire Whitcomb provided explanation of an event for recycling of unwanted household goods. Resident can bring items to the Public Works yard to 'swap' with other residents. The proposed scheduled for this event is Saturday, April 28, 2018, from 9:00 a.m. until 12:00 noon. No clothing, books, mattresses or other such items will be accepted.

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Resolution 82-2018 is listed on the Consent Agenda.

ADVERTISED HEARINGS

The Clerk made the following statement:

Ordinances scheduled for hearing tonight were submitted in writing at a Regular meeting of the Mayor and Council held on January 22, 2018, were introduced by title and passed on first reading, were published in the Madison Eagle and made available to members of the general public requesting same.

Mayor Conley called up Ordinances for second reading and asked the Clerk to read said ordinances by title:

**ORDINANCE 5-2018
ORDINANCE OF THE BOROUGH OF MADISON AMENDING CHAPTER
15 OF THE MADISON BOROUGH CODE ENTITLED “DOWNTOWN
DEVELOPMENT COMMISSION”**

WHEREAS, the Madison Downtown Development Commission has recommended revision of Chapter 15 of the Borough Code Entitled: “Downtown Development Commission”; and

WHEREAS the Borough Council agrees with this recommendation to revise Chapter 15 of the Borough Code.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

SECTION 1: Chapter 15 of the Borough Code entitled “Downtown Development Commission” is hereby amended as follows:

§15-2 B(8). Ex-Officio Member; one (1) member: who shall be the Borough Administrator or their designee.

SECTION 2: This Ordinance shall take effect as provided by law.

Mayor Conley opened up the public hearing on Ordinance 5-2018. Since no member of the public wished to be heard, the public hearing was closed.

Ms. Byrne moved that Ordinance 5-2018, which the Borough Clerk read by title, be finally adopted. Mr. Rowe seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

Absent: Mrs. Vitale, Mr. Wolkowitz

Mayor Conley declared Ordinance 5-2018 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

**ORDINANCE 6-2018
ORDINANCE OF THE BOROUGH OF MADISON APPROPRIATING
\$32,500.00 FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR
THE PURCHASE OF REPLACEMENT BULLETPROOF VESTS**

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WHEREAS, the Police Chief has recommended that the Borough appropriate \$32,500.00 from the General Capital Improvement Fund for the purchase of replacement bulletproof vests; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$32,500.00 for this purpose; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$32,500.00 from the General Capital Improvement Fund to purchase replacement bulletproof vests; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

SECTION 1: The amount of \$32,500.00 is hereby appropriated from the General Capital Improvement Fund to purchase replacement bulletproof vests.

SECTION 2: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

SECTION 3: This Ordinance shall take effect as provided by law.

Mayor Conley opened up the public hearing on Ordinance 6-2018. Since no member of the public wished to be heard, the public hearing was closed.

Mr. Hoover moved that Ordinance 6-2018, which the Borough Clerk read by title, be finally adopted. Ms. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

Absent: Mrs. Vitale, Mr. Wolkowitz

Mayor Conley declared Ordinance 6-2018 adopted and finally passed and ordered the Clerk to publish the notice thereof in the newspaper and to record the ordinance as required by law.

INTRODUCTION OF ORDINANCES

The Clerk made the following statement:

Ordinances scheduled for introduction and first reading tonight will have a hearing during the meeting of February 26, 2018 in the 2nd Floor Council Chamber of the Hartley Dodge Memorial Building, Kings Road, in the Borough of Madison at 8 p.m., or as soon thereafter as practical, for further consideration and final adoption. Said ordinances will be published in the Madison Eagle, be posted at the main entrance to the Borough offices and be made available to members of the public requesting same, as required by law.

Mayor Conley called up Ordinances for first reading and asked the Clerk to read said ordinance by title:

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**ORDINANCE 7-2018 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$35,000.00 FROM GENERAL CAPITAL IMPROVEMENT FUND
FOR PURCHASE OF POLICE DEPARTMENT VEHICLE**

WHEREAS, the Police Chief has recommended that the Borough appropriate \$35,000.00 from the General Capital Improvement Fund to purchase an EUS replacement vehicle for the Police Department; and

WHEREAS, the Chief Financial Officer has attested to the availability of the funds in the General Capital Improvement Fund in an amount not to exceed \$35,000.00 for this purpose; and

WHEREAS, additional funds from the Police Special Duty Trust Fund in the amount of \$30,000 will be utilized for a total purchase amount of \$65,000.000; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$35,000.00 from the General Capital Improvement Fund to purchase a replacement vehicle for the Police Department; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

SECTION 1: The amount of \$35,000.00 is hereby appropriated from the General Capital Improvement Fund to purchase an EUS replacement vehicle for the Police Department.

SECTION 2: The budget of the Borough is hereby amended to conform with the provisions of this Ordinance.

SECTION 3: This Ordinance shall take effect as provided by law.

Mr. Hoover moved that Ordinance 7-2018, which the Borough Clerk read by title, be adopted. Ms. Byrne seconded the motion. There was no Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

Absent: Mrs. Vitale, Mr. Wolkowitz

**ORDINANCE 8-2018 ORDINANCE OF THE BOROUGH OF MADISON
APPROPRIATING \$10,000.00 FROM THE MUNICIPAL OPEN SPACE TRUST
FUND FOR UPDATE OF THE OPEN SPACE AND RECREATION PLAN (OSRP)**

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to update the Open Space and Recreation Plan (OSRP); and

WHEREAS, the Open Space Advisory Committee has recommended the full funding of this request; and

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WHEREAS, in order to remain eligible for land acquisition grants from Green Acres, the OSRP must be re-examined and updated within ten (10) years; and

WHEREAS, the Borough Council has determined that the Borough should appropriate \$10,000.00 from the Open Space Trust Fund for the update of the Open Space and Recreation Plan (OSRP); and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$10,000.00 for this purpose in the Open Space Trust Fund.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

SECTION 1: The amount of \$10,000.00 is hereby appropriated from the Open Space Trust Fund for the update of the Open Space and Recreation Plan (OSRP).

SECTION 2: This Ordinance shall take effect as provided by law.

Ms. Baillie moved that Ordinance 8-2018, which the Borough Clerk read by title, be adopted. Mr. Rowe seconded the motion. Ms. Baillie explained that every ten years the element must be updated as required by the State. The last time was in 2009. The Land Conservancy of New Jersey will update in the current year for the same fee. There was no further Council discussion, and the motion passed with the following roll call vote recorded:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

Absent: Mrs. Vitale, Mr. Wolkowitz

INVITATION FOR DISCUSSION (2 of 2)

Mayor opened the meeting to the public for their opportunity to ask questions and make comments on any subject. Mayor asked that, upon recognition by the Chair, the person shall proceed to the lectern and give his/her name and address in an audible tone of voice, and print the same on the sheet provided for the record.

He/she shall limit his/her statement to three (3) minutes or less.

Terry Romano; West Lane, raised concern regarding visibility at the corner of West Lane and Cross Gates, noting a recent accident. Mrs. Romano urged Council to address the issue with members of the Police Department.

CONSENT AGENDA RESOLUTIONS

The Clerk made the following statement:

Consent Agenda Resolutions will be enacted with a single motion; any Resolution requiring expenditure is supported by a Certification of Availability of Funds; any Resolution requiring discussion will be removed from the Consent Agenda; all Resolutions will be reflected in full in the minutes.

Mr. Rowe moved adoption of the Resolutions listed on the Consent Agenda. Ms. Baillie seconded the motion. There was no Council discussion and the motion passed with the following roll call vote recorded:

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Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

Absent: Mrs. Vitale, Mr. Wolkowitz

R 68-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO ACARI IOVINO ARCHITECTS, P. C. TO DESIGN CAPITAL PROJECTS FOR THE MADISON PUBLIC LIBRARY IN THE AMOUNT OF \$56,500.00

WHEREAS, the Library Board of Trustees and Library Director have recommended the design of Library Capital projects seeking funding support from the recently passed State Bond issue; and

WHEREAS, said services would constitute professional services for which a contract may be awarded without the need of competitive bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Library Director has recommended that the Borough Council award the Contract to Acari Iovino Architects, P.C. in an amount not to exceed \$56,500.00, for design services for the Madison Public Library; and

WHEREAS, Acari Iovino Architects, P.C. has submitted to the Borough Purchasing Agent the required documents to satisfy the requirements of N.J.S.A. 19:44A-20.5, since this matter may be awarded without competitive bidding; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$56,500.00 for this purpose, in Ordinance 18-2017.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. The Mayor and Borough Clerk are hereby authorized to execute, on behalf of the Borough, a professional service contract for professional services with Acari Iovino Architects, P. C. for design services for the Madison Public Library in an amount not to exceed \$56,500.00, such contract to be in a form approved by the Borough Attorney.

2. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 69-2018 RESOLUTION OF THE BOROUGH OF MADISON SUPPORTING THE MADISON ENVIRONMENTAL COMMISSION GREEN VISION FORUM

WHEREAS, the Madison Environmental Commission wishes to hold a Green Vision Forum at Drew University on Thursday, April 19, 2018 to facilitate a

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dialogue on sustainability and green practices with community members and Borough representatives; and

WHEREAS, a Green Vision Forum, consisting of a panel of active youth from Madison schools as well as students from Drew University, and Borough employees will address issues on green activities in the schools and in the community.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Borough of Madison supports the Madison Environmental Commission's Green Vision Forum.

R 70-2018 R 70-2018 RESOLUTION OF THE BOROUGH OF MADISON
AUTHORIZING THE MAYOR TO SIGN AN AMENDMENT TO THE DEVELOPER'S
AGREEMENT DATED MARCH 18, 1980 BETWEEN PIC REALTY CORPORATION
AND THE BOROUGH OF MADISON

Whereas, the PIC Realty Corporation ("PIC") and the Borough of Madison are parties to a Developer's Agreement dated March 18, 1980, and subsequent undated Amendment to Developer's Agreement and Supplemental Agreements dated January 24, 1983 and June 12, 1995 (collectively the "Developer's Agreement") relating to property partially located in the Borough of Madison, County of Morris and State of New Jersey, designated as Lots 1, 2, 3 and 4 in Block 33 on the Madison Borough Tax Map ("Property") and commonly known as Giralda Farms; and

Whereas, the purpose of the Developer's Agreement was "to spell out certain details with respect to the proposed development and to clarify those situations in which additional action on the part of the municipal or governmental authorities may be required" as contemplated in the Resolution of the Planning Board dated April 2, 1979 granting preliminary site plan approval for the development of the Giralda Farms property; and

Whereas, the Developer's Agreement also required PIC to form a non-profit corporation known as Open Spaces Management Association, Inc. for the purpose of, inter alia, preserving the values and amenities of Giralda Farms by maintaining and administrating the Common Elements and facilities including the gatehouses and all interior roadways; and

Whereas, Section XV of the Developer's Agreement requires that the gatehouses at both entrances to the interior road of the Property be manned by

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security personnel at all times when the office park is in operation and that a positive locking system be used for periods when it is not; and

Whereas, on or around February 8, 2018, the Members of the Association adopted a “Resolution by Unanimous Consent of All of the Owners of Giralda Farms” delegating to the Association the power and authority to execute an amendment to the Developer’s Agreement with the Borough relating to the staffing and operation of the gatehouse and the ability to freely access Giralda Farms at all times without any barriers or impediments; and

Whereas, the amendment to the Developer’s Agreement eliminates Section XV (Fire, Police and Security Systems) in its entirety and any other provision in the Developer’s Agreement which would require the gatehouse to be manned by personnel or to have a barrier or other impediment restricting access to the Giralda Farms property at any time; and

Whereas, the Council of Madison has reviewed and hereby approves the “Amendment to the Developer’s Agreement dated March 18, 1980 between PIC Realty Corporation and the Borough of Madison” with Open Spaces Management Association, Inc. attached hereto amending Section XV Fire, Police and Security Systems.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris, State of New Jersey that the Mayor and Borough are authorized to execute the Amendment to the Developer’s Agreement dated March 18, 1980 between PIC Realty Corporation and the Borough of Madison with Open Spaces Management Association, Inc. referenced herein.

R 71-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING ROBERT DUFFY TO THE POSITION OF PART TIME EXECUTIVE ASSISTANT IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Personnel Director/QPA has recommended appointing Robert Duffy to the position of part-time Executive Assistant in the Public Works Department effective immediately; and

WHEREAS, the Chief Financial Officer has certified that funds are available in Account 300-110 in the Department of Public Works budget; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, County of Morris, State of New Jersey, that Robert Duffy is hereby

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appointed to the position of part-time Executive Assistant in the Public Works Department, effective immediately, to be compensated at the hourly rate of \$25.00 per hour up to 29 hours a week, with no benefits.

R 72-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO TILCON NEW YORK, INC. FOR PAVING IMPROVEMENTS UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$400,000.00

WHEREAS, the Borough of Madison desires to award a contract for paving improvements to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Tilcon New York, Inc., of Parsippany, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract # 6, Road Resurfacing; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for paving improvements in an amount not to exceed \$400,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$400,000.00 for this purpose in Ordinance 2-2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. A contract for paving improvements by Tilcon New York, Inc. of Parsippany, New Jersey, at a total price not to exceed \$400,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #6, Road Resurfacing.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Tilcon New York, Inc. of Parsippany, New Jersey, for paving improvements at a total price not to exceed \$400,000.00, in a form acceptable to the Borough Attorney.

3. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

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R 73-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO MICRO PAVE SYSTEMS, INC. FOR CRACK SEALING UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$75,000.00

WHEREAS, the Borough of Madison desires to award a contract for crack sealing to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Micro Pave Systems, Inc., of Roseland, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract # 6, Road Resurfacing; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for paving improvements in an amount not to exceed \$75,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$75,000.00 for this purpose in Ordinance 2-2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. A contract for crack sealing by Micro Pave Systems, Inc., of Roseland, New Jersey, at a total price not to exceed \$75,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #6, Road Resurfacing.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Micro Pave Systems, Inc., of Roseland, New Jersey, for paving improvements at a total price not to exceed \$75,000.00, in a form acceptable to the Borough Attorney.

3. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 74-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO DENVILLE LINE STRIPING, INC. FOR STRIPING WORK UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$35,000.00

WHEREAS, the Borough of Madison desires to award a contract for striping work for various roadways to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

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WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Denville Line Striping, Inc., of Rockaway, New Jersey has been awarded Morris County Co-Operative Pricing Council Contract #36 'Traffic Striping on Roadways'; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for striping of various roadways in an amount not to exceed \$35,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$35,000.00 for this purpose in Ordinance 2-2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. A contract for the striping of various roadways by Denville Line Striping, Inc. of Rockaway, New Jersey, at a total price not to exceed \$35,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #36.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Denville Line Striping, Inc., for striping of various roadways at a total price not to exceed \$35,000.00, in a form acceptable to the Borough Attorney.

R 75-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING CONTRACT TO CIFELLI & SON GENERAL CONTRACTING, INC. FOR CURB REPLACEMENT IMPROVEMENTS UNDER MORRIS COUNTY COOPERATIVE BID IN AN AMOUNT NOT TO EXCEED \$35,000.00

WHEREAS, the Borough of Madison desires to award a contract for the curb replacement improvements to an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, Cifelli & Son General Contracting, Inc., of Nutley, New Jersey has been awarded the Morris County Co-Operative Pricing Council Contract # 6, Category F, Curbing; and

WHEREAS, the Borough Engineer has recommended that the Borough Council utilize this contract for curb replacement improvements in an amount not to exceed \$35,000.00; and

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WHEREAS, the Chief Financial Officer has attested that funds are available in an amount not to exceed \$35,000.00 for this purpose in Ordinance 2-2018.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. A contract for curb replacement improvements by Cifelli & Son General Contracting, Inc. of Nutley, New Jersey, at a total price not to exceed \$35,000.00 is hereby approved under the Morris County Co-Operative Pricing Council Contract #6, Category F, Curbing.

2. The Borough Administrator is hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Cifelli & Son General Contracting, Inc. of Nutley, New Jersey, for curb replacement improvements at a total price not to exceed \$35,000.00, in a form acceptable to the Borough Attorney.

3. The Borough Clerk is hereby directed to publish notice of the adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 76-2018 RESOLUTION OF THE BOROUGH OF MADISON AWARDING PROFESSIONAL SERVICES CONTRACT TO OMLAND & OSTERKORN CONSULTING ENGINEERS & SURVEYORS, LTD, IN AN AMOUNT NOT TO EXCEED \$29,400.00 TO PROVIDE FIELD SURVEYS FOR RECONSTRUCTION OF VARIOUS ROADS

WHEREAS, the Madison Borough Engineer has advised the Borough Council that professional design and engineering services are needed to prepare surveys for reconstruction of various roads in the 2019 Capital budget; and

WHEREAS, the Borough Engineer has recommended that Omland & Osterkorn Consulting Engineers & Surveyors, professional engineers, be awarded a professional contract for these services at a cost not to exceed \$29,750.00, based on their written proposal dated January 26, 2018; and

WHEREAS, said services would constitute professional services for which a contract may be awarded without the need for competitive bidding pursuant to N.J.S.A. 40A:11-5; and

WHEREAS, the Chief Financial Officer has attested to the availability of funds in an amount not to exceed \$29,750.00 for this purpose, in Ordinance 1-2017.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison in the County of Morris and State of New Jersey that the Mayor and Borough Clerk are hereby authorized to execute on behalf of the Borough a

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professional services contract with Omland & Osterkorn Consulting Engineers & Surveyors, in an amount not to exceed \$29,750.00, to perform the design and engineering services to prepare surveys for reconstruction of various roads including all of the work to be done as set forth in the written proposal dated January 26, 2018 and provided such contract is in a form approved by the Borough Attorney.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Borough Clerk is hereby directed to publish notice of adoption of this resolution in the official newspaper of the Borough of Madison within ten (10) days of its adoption pursuant to N.J.S.A. 40A:11-5.

R 77-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACT TO ALLIED OIL, LLC FOR MOTOR GASOLINE THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL

WHEREAS, the Borough of Madison desires to enter into a contract for motor gasoline from an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, The Morris County Cooperative Pricing Council has amended the award of contract for motor gasoline to a different vendor; and

WHEREAS, Allied Oil, LLC, of Hillsborough, New Jersey has been awarded Morris County Co-Operative Pricing Council contract #1 Motor Gasoline; and

WHEREAS, the Director of Public Works has recommended that the Borough Council utilize this contract for motor gasoline in an amount not to exceed \$120,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$120,000.00 for this purpose, which funds will be available upon adoption of the 2018 Operating Budget; and

WHEREAS, R 52-2018 previously awarded to Finch Fuel Oil Company, Inc., of Kearny, New Jersey for motor gasoline is hereby rescinded

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. A contract for motor gasoline with Allied Oil, LLC, of Hillsborough, New Jersey, at a total price not to exceed \$120,000.00 is hereby approved under the Morris County Co-Operative Pricing Council contract #1 Motor Gasoline.

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2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Allied Oil, LLC, of Hillsborough, New Jersey, for motor gasoline at a total price not to exceed \$120,000.00, in a form acceptable to the Borough Attorney.

R 78-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING CONTRACT TO ALLIED OIL LLC FOR DIESEL FUEL THROUGH THE MORRIS COUNTY CO-OPERATIVE PRICING COUNCIL

WHEREAS, the Borough of Madison desires to enter into a contract for ultra low sulfur diesel fuel from an authorized vendor under the Morris County Co-Operative Pricing Council program; and

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-10, et seq.; and

WHEREAS, the Morris County Cooperative Pricing Council has amended the award of contract for ultra low sulfur diesel to a different vendor; and

WHEREAS, Allied Oil, LLC, of Hillsborough, New Jersey has been awarded Morris County Co-Operative Pricing Council contract #12 #2 Ultra Low Sulfur Diesel Fuel; and

WHEREAS, the Director of Public Works has recommended that the Borough Council utilize this contract for ultra low sulfur diesel fuel in an amount not to exceed \$55,000.00; and

WHEREAS, the Chief Financial Officer has attested that funds will be available in an amount not to exceed \$55,000.00 for this purpose, which funds will be available upon adoption of the 2018 Operating Budget; and

WHEREAS, R 53-2018 previously awarded to Finch Fuel Oil Company, Inc., of Kearny, New Jersey for ultra low sulfur diesel fuel is hereby rescinded.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, as follows:

1. A contract for ultra low sulfur diesel fuel from Allied Oil, LLC, of Hillsborough, New Jersey, at a total price not to exceed \$55,000.00 is hereby approved under the Morris County Co-Operative Pricing Council contract #12 #2 Ultra Low Sulfur Diesel Fuel.

2. The Mayor and Borough Clerk are hereby authorized and directed on behalf of the Borough to execute a purchase order and contract to Allied Oil, LLC, of Hillsborough, New Jersey, for ultra low sulfur diesel fuel at a total price not to exceed \$55,000.00, in a form acceptable to the Borough Attorney.

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R 79-2018 Item Removed and the # Retired

R 80-2018 RESOLUTION OF THE BOROUGH OF MADISON APPOINTING THOMAS A. MEDER, JR. TO THE POSITION OF INTERN IN THE MADISON POLICE DEPARTMENT

WHEREAS, Police Chief Daren Dachisen has recommended the appointment of Thomas A. Meder, Jr. to the position of Summer Intern in the Madison Police Department; and

WHEREAS, the Borough Council agrees with this recommendation.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that Thomas A. Meder, Jr. is hereby appointed to the position of Summer Intern in the Madison Police Department at the hourly rate of \$12.00/hour.

R 81-2018 RESOLUTION OF THE BOROUGH OF MADISON REJECTING ALL BIDS FOR THE ELMER STREET SEWER IMPROVEMENTS

WHEREAS, the Borough of Madison publicly advertised for bids for the Elmer Street Improvements in accordance with Local Public Contracts Law N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the Borough received eight (8) bids; and

WHEREAS, the Borough Attorney has disqualified the bids due to material deficiencies; and

WHEREAS, the Borough Attorney has opined that rejection of the bid is appropriate pursuant to statutory authority.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison in the County of Morris and State of New Jersey that all bids for the Elmer Street Sewer Improvements are hereby rejected for the reasons set forth herein.

R 82-2018 RESOLUTION OF THE BOROUGH OF MADISON AUTHORIZING THE USE OF PUBLIC WORKS GARAGE PROPERTY FOR A TOWN SWAP EVENT ON APRIL 28, 2018

WHEREAS, the Madison Environmental Commission has requested permission to use Public Works Garage property on Saturday, April 28, 2018, between the hours of 9:00 a.m. and 12:00 p.m. for a public Town Swap event; and

WHEREAS, the Director of Public Works has recommended that such permission be granted; and

WHEREAS, the Borough Council agrees with this recommendation.

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NOW, THEREFORE, BE IT RESOLVED, by the Council of the Borough of Madison, in the County of Morris and State of New Jersey, that the Madison Environmental Commission, along with the Department of Public Works, is hereby given permission to hold a public Town Swap event at Public Works Garage property, on Saturday, April 28, 2018, between the hours of 9:00 a.m. and 12:00 p.m. subject to such safety requirements as may be directed by the Madison Police Department and/or Fire Department.

UNFINISHED BUSINESS - None

APPROVAL OF VOUCHERS

On motion by Ms. Baillie, seconded by Mr. Rowe and carried, the following vouchers of the Borough of Madison were approved for payment, and the supporting documentation of said vouchers was made part of the Supplemental Minute Book.

Current Fund	\$3,719,034.44
General Capital Fund	131,231.35
Electric Operating Fund	840,023.00
Electric Capital Fund	0.00
Water Operating Fund	24,623.53
Water Capital Fund	0.00
Trusts	<u>48,551.97</u>
Total	<u>\$4,763,464.29</u>

The following roll call vote was recorded approving the aforementioned vouchers:

Yeas: Ms. Baillie, Mr. Rowe, Ms. Byrne, Mr. Hoover

Nays: None

Absent: Mrs. Vitale, Mr. Wolkowitz

NEW BUSINESS - None

ADJOURN

There being no further business to come before the Council, the meeting was adjourned at 9:40 p.m.

Respectfully submitted,

Elizabeth Osborne
Borough Clerk
Approved February 26, 2018 (EO)